

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE COMPLAINT BY)
CONSOLIDATED EDISON DEVELOPMENT, INC.)
AGAINST NORTHWESTERN CORPORATION)
DBA NORTHWESTERN ENERGY FOR)
ESTABLISHING A PURCHASE POWER)
AGREEMENT)**

**ORDER FOR AND NOTICE OF
MOTION HEARING**

EL16-021

On June 23, 2016, Juhl Energy, Inc. (Juhl) filed a Complaint with the South Dakota Public Utilities Commission (Commission) seeking resolution of a dispute with NorthWestern Corporation dba NorthWestern Energy (NorthWestern) regarding the proper avoided cost for a long-term electric power purchase agreement.

On June 30, 2016, the Commission electronically transmitted notice of the Complaint and the intervention deadline of July 25, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On July 19, 2016, NorthWestern filed its Answer to the Complaint. No petitions to intervene were filed. On August 4, 2016, the parties filed a Joint Request for a Procedural Schedule. At its regularly scheduled meeting on August 16, 2016, the Commission established a Procedural Schedule.

On February 15, 2017, the Commission entered an Order Granting Motion to Amend Complaint that was filed by Consolidated Edison Development, Inc. (ConEd Development) making ConEd Development the complainant based on its acquisition of Juhl Energy Inc.'s interest in the three wind energy projects that are the subject of this docket.

An evidentiary hearing was held on n April 11, 2017 through April 12, 2017. ConEd Development's post hearing brief was submitted on May 17, 2017. Both NorthWestern and Staff responded on June 7, 2017. ConEd Development's reply brief was submitted on June 26, 2017. During regularly scheduled Commission meetings, the parties appeared before the Commission on August 1 and August 15 of 2017. On August 10, 2017, a Stipulation Allowing Supplemental Evidence was filed by the parties. On August 24, 2017, NorthWestern filed updated Avoided Cost Calculations.

On November 30, 2017, ConEd Development filed a Motion for Entry of Order Concluding Case. It is therefore

ORDERED, that a hearing on the Motion for Entry of Order Concluding Case will be held by the Commission at its regularly scheduled meeting on December 19, 2017, beginning at 9:30 A.M. CDT in Rm. 413, Capitol Building, Pierre, SD.

Dated at Pierre, South Dakota, this 6th day of December, 2017.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
By: <u>Karen E. Bremer</u>
Date: <u>12/6/17</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Feigen
KRISTIE FIEGEN, Chairperson
Gary Hanson
GARY HANSON, Commissioner
Chris Nelson
CHRIS NELSON, Commissioner